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January 11, 2010

Mr. Michael Clinton Howard
402 E. 11th St.
Houston, TX 77008

Mr. James M. Corbett
Lyman, Twining, Weinberg & Ferrell
1221 McKinney Street
3600 One Houston Center
Houston, TX 77010

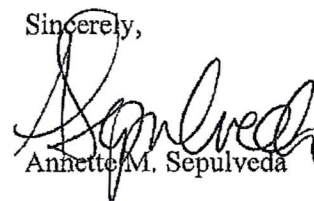
RE No. 4:07-CV-03858; *Molly Sostand vs. Kansas City Southern Railway Co., et al*, in the
United States District Court, Southern District of Texas, Houston Division

Dear Mr. Howard and Mr. Corbett:

This letter will confirm our settlement of the above referenced matter. In order to compromise and settle the above referenced dispute and without admitting liability, Kansas City Southern Railway Co. will provide \$300,000.00 and RailPros, Inc./Lewis Cunningham will provide \$100,000.00 to counsel for Plaintiffs for a total settlement sum of \$400,000.00. Formal settlement documents memorializing this agreement will be drafted and executed by the parties and the settlement will fund within 30 days.

If this is an accurate summary of our settlement, please sign below so that I may file with the Court in accordance with Rule 29 of the Federal Rules of Civil Procedure.

Sincerely,




Annette M. Sepulveda

AMS/tls

January 11, 2010
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AGREED:


Mr. Michael Clinton Howard


Mr. James M. Corbett